

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A data distribution system comprising:
  - a reproducing apparatus for reproducing content data distributed from a mounted recording medium;
  - a recording apparatus for recording said reproduced content data on a mounted recording medium;
  - an examining means for examining ~~the type~~ usage space information of the content data recorded on the recording medium mounted in said reproducing apparatus, the recording medium mounted in said reproducing apparatus, said reproducing apparatus, the recording medium mounted in said recording apparatus, and said recording apparatus, ~~said examining means generating usage information including a plurality of ownership rights and distribution profits;~~ and
  - a controlling means for controlling transfer of said content data from said recording medium mounted in said reproducing apparatus to said recording medium mounted in said recording apparatus based on ~~said usage information;~~ the result of said examination;
  - wherein said usage space information indicates system information of said recording apparatus and said reproducing apparatus, ownership right information of

said content data, format information of said content data, and distributing profit  
information obtained by the distribution of said content data.

2. (Previously Presented) A data distribution system as set forth in claim 1,  
wherein said examining means;

examines whether said content data is of a first type which is distributed in an  
encrypted state or of a second type which is distributed in an unencrypted state,

examines whether said recording medium is of a first type having a  
configuration enabling recorded data to be effectively read out by performing  
authentication processing or of a second type having no such configuration and  
enabling read out of the recorded data without authentication,

examines whether said reproducing apparatus is of a first type for reproducing  
after the authentication processing or of a second type for reproducing without that  
processing, and

examines whether said recording apparatus is of a first type for recording after  
the authentication processing or of a second type for recording without that processing.

3. (Previously Presented) A data distribution system as set forth in claim 2,  
wherein said controlling means disables the reproduction when said usage information  
indicates that the content data is of said first type, the recording medium mounted in the  
reproducing apparatus is said second type of recording medium, and said reproducing  
apparatus is said second type of reproducing apparatus.

4. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means disables the reproduction when that the content data is of said first type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

5. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when said usage information indicates that the content data is of said second type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

6. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when said usage information indicates that the content data is of said second type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

7. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means disables the reproduction when said usage information indicates that the content data is of said first type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

8. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when said usage information indicates that the content data is of said first type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

9. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when said usage information indicates that the content data is content data of said second type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

10. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when said usage information indicates that the content data is of said second type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

11. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means disables the recording when usage information indicates that the content data is content data of said first type, the recording medium mounted in

the recording apparatus is said second type of recording medium, and said recording apparatus is said second type of recording apparatus.

12. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means disables the recording when usage information indicates that the content data is of said first type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said first type of recording apparatus.

13. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates that the content data is of said second type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said second type of recording apparatus.

14. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates that the content data is of said second type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said first type of recording apparatus.

15. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means disables the recording when that the content data is of

said first type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said second type of recording apparatus.

16. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates that the content data is content data of said first type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said first type of recording apparatus.

17. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates that the content data is content data of said second type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said second type of recording apparatus.

18. (Previously Presented) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates said usage information indicates that the content data is content data of said second type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said first type of recording apparatus.

19-25. (Canceled)

26. (Currently Amended) A data distribution method comprising the steps of:  
examining ~~types~~ usage space information of content data distributed on a  
recording medium mounted in a reproducing apparatus, a recording medium mounted in  
said reproducing apparatus, said reproducing apparatus, a recording medium mounted  
in ~~the~~ a recording apparatus, and said recording apparatus; and  
~~generating usage information including a plurality of ownership rights and~~  
~~distribution profits; and controlling the transfer of said content data from said recording~~  
medium mounted in said reproducing apparatus to said recording medium mounted in  
said recording apparatus based on ~~said usage information.~~ the result of said  
examination;  
wherein said usage space information indicates system information of said  
recording apparatus and said reproducing apparatus, ownership right information of  
said content data, format information of said content data, and distributing profit  
information obtained by the distribution of said content data.

27. (Previously Presented) A data distribution method as set forth in claim 26,  
wherein said examination  
examines whether said content data of a first type which is distributed in an  
encrypted state or of a second type which is distributed in an unencrypted state,  
examines whether said recording medium is of a first type having a configuration  
enabling recorded data to be effectively read out by performing authentication

processing or of a second type having no such configuration and enabling read out of the recorded data without authentication,

examines whether said reproducing apparatus is of a first type for reproducing after the authentication processing or of a second type for reproducing without that processing, and

examines whether said recording apparatus is a of a first type for recording after the authentication processing or of a second type for recording without that processing.

28-30. (Canceled)

31. (Currently Amended) A data processing apparatus comprising:

a reproducing apparatus for reproducing content data distributed from a mounted recording medium;

an examining means for examining ~~types~~ usage space information of the content data recorded on a recording medium mounted in said reproducing apparatus, a recording medium mounted in said reproducing apparatus, and said reproducing apparatus, ~~said examining means generating usage information including a plurality of ownership rights and distribution profits; and~~

a controlling means for controlling the reproduction of the content data from said recording medium mounted in said reproducing apparatus based on results of said examination ~~said usage information.~~ the result of said examination;

wherein said usage space information indicates system information of said recording apparatus and said reproducing apparatus, ownership right information of



said content data, format information of said content data, and distributing profit  
information obtained by the distribution of said content data.

32. (Previously Presented) A data processing apparatus as set forth in claim 31,  
wherein said examining means;

examines whether said content data is to of a first type which is distributed in an  
encrypted state or of a second type which is distributed in an unencrypted state,

examines whether said recording medium is of a first type having a configuration  
enabling recorded data to be effectively read out by performing authentication  
processing or of a second type having no such configuration and enabling read out of  
the recorded data without authentication, and

examines whether said reproducing apparatus is of a first type for reproducing  
after the authentication processing or a second type for reproducing without that  
processing.

33. (Previously Presented) A data processing apparatus as set forth in claim 32,  
wherein said controlling means disables the reproduction when said usage information  
indicates that the content data is of said first type, the recording medium mounted in the  
reproducing apparatus is said second type of recording medium, and said reproducing  
apparatus is said second type of reproducing apparatus.

34. (Previously Presented) A data processing apparatus as set forth in claim 32,  
wherein said controlling means disables the reproduction when said usage information

indicates that the content data is of said first type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

35. (Previously Presented) A data processing apparatus as set forth in claim 32, wherein said controlling means disables the reproduction when said usage information indicates that the content data is of said first type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

36-49. (Canceled)